



# UNITED STATES PATENT AND TRADEMARK OFFICE

mn

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/731,994

12/09/2003

Khatoun Shahrabaki

34874-068 UTIL

5871

64280

7590

06/27/2007

MINTZ, LEVIN, COHN, FERRIS, GLOVSKY & POPEO, P.C.  
9255 TOWNE CENTER DRIVE  
SUITE 600  
SAN DIEGO, CA 92121

EXAMINER

WATT, CHRIS A

ART UNIT

PAPER NUMBER

2174

MAIL DATE

DELIVERY MODE

06/27/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/731,994	SHAHRBABAKI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Chris Watt	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 10 April 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This communication is responsive to the Amendment filed 4/10/2007.
2. Claims 1-21 are pending in this application. Claims 1, 11, 20 and 21 are the independent claims. In the instant Amendment, claim 21 was added, no claims were cancelled, and claims 1, 11 and 20 were amended. This action is made Final.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

### ***Claim Rejections - 35 USC § 103***

4. Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Westerman ("Westerman" US Patent No. 6,404,443) in view of Young ("Young" US Patent No. 6,177,933) and Becker et al. ("Becker" US Patent No. 6,981,223).

Regarding independent claim 1, Westerman teaches a method of generating a graphical user interface (GUI) (i.e. col. 4 lines 30-33 of Westerman : " These elements are those typically found in most general purpose computers, and in fact, computer 48 is intended to be representative of a broad category of data processing devices capable of generating graphic displays" ), the method comprising: grouping objects into object groups (i.e. col. 1 lines 41-42 of Westerman : " The windows are used to classify the objects in groups, according to the user's choice" ); defining an arrangement for a plurality of the object groups (i.e. col. 5 lines 66-67 of Westerman : " The user interface of the invention includes means for defining a plurality of data structures that are called planes"; col. 4 lines 58-60 of Westerman : " As has been mentioned, the present invention provides a graphical user interface for managing a plurality of screen objects"

Art Unit: 2174

), each object group corresponding (i.e. col. 6 lines 53-57 of Westerman : " The preferred means for selecting is by including means for displaying an identifying tab for each plane, and means for activating the tab corresponding to the plane that is desired to be selected" ); assigning a graphic pattern (i.e. col. 6 lines 22-25 of Westerman : " The interface of the invention also includes means for assigning each screen object to a specific one of the planes, such that at least two planes receive at least one object each"; col. 10 lines 4-6 of Westerman : " In addition, upon selection of a plane the tab corresponding to the selected plane is displayed more prominently than the other tabs" ) that is distinct (i.e. col. 1 lines 34-36 of Westerman : " More specifically, visually distinct display objects are provided on the display screen, and are commonly referred to as "icons" ); generating a graphical structure (i.e. col. 8 lines 24-25 of Westerman : " Each group of data can be a window descriptor structure, which is used in creating the display" ) for each object to be represented in the GUI (i.e. col. 3 lines 14-17 of Westerman : "a diagram of a sample data structure for implementing the graphical user interface of the present invention, in parallel with a box representation of the screen objects that have been placed in the interface, and their attributes while in the interface" ); generating a background region for the GUI for and generating the GUI (i.e. col. 5 lines 19-21 of Westerman : " The frame is preferably shown colored in a sharp color contrast from the background color of second portion 84" ). Westerman does not teach a relationship in the arrangement, grouping graphical user interface objects into object groups based on assigned graphic pattern for the corresponding relationship for the object group or generating a GUI having at least two concurrently displayed and non-

Art Unit: 2174

overlapping background regions each including, one or more related graphical structures.

Young teaches a a relationship in the arrangement (i.e. col. 7 lines 11-30 of Young : " A computer-implemented method for providing visual continuity when displaying related information on a computer monitor, comprising: retrieving a first set of data stored in a first electronic file and a second set of data stored in a second electronic file, the second set of data having a generative relationship to the first set of data; arranging the first set of data on a first page and the second set of data on a second page by tracking the first set of data and aligning the second set of data on the second page based on an arrangement of the first set of data on the first page; assigning a first display location to the first page and a second display location to the second page so that as a first one of the first and second pages is displayed on a computer monitor the first one of the first and second pages appears to substantially overlay a second one of the first and second pages; and displaying the first one of the first and second pages on the computer monitor" ). It would have been obvious to an artisan at the time of the invention to combine the relationship in the arrangement of Young into the method of generating a GUI of Westerman. Said artisan would have been motivated to combine Young into Westerman to allow for retaining visual continuity between data sets displayed on a computer monitor. (i.e. see col. 2 line 2 et seq. of Young)

Becker teaches grouping graphical user interface objects into object groups based on assigned graphic pattern for the corresponding relationship for the object

Art Unit: 2174

group or generating a GUI having at least two concurrently displayed and non-overlapping background regions each including, one or more related graphical structures (i.e. FIG. 1 et seq. of Becker). It would have been obvious to an artisan at the time of the invention to integrate the grouping of interface objects with corresponding graphic patterns of Becker into the object groups of Westerman as modified by Young. Said artisan would have been motivated to combine Becker into the modified Westerman to establish a customized environment pattern (such as color, texture, etc.) for the user to indicate different object groupings and states of objects (i.e. see col. 7 line 10 et seq. of Becker).

Regarding dependent claim 2, Westerman, in combination with Young and Becker teaches the method in accordance with claim 1, further comprising displaying the GUI (i.e. col. 1 lines 8-11 of Westerman : " displaying information graphically, and more particularly, the present invention relates to a computer controlled display system for managing and displaying screen objects on a computer screen" ).

Regarding dependent claim 3, Westerman, in combination with Young and Becker teaches the method in accordance with claim 1, wherein the graphic pattern represents a color to be displayed in a background region (i.e. col. 5 lines 19-21 of Westerman : " The frame is preferably shown colored in a sharp color contrast from the background color of second portion 84" ).

Regarding dependent claim 4, Westerman, in combination with Young and Becker teaches the method in accordance with claim 3, wherein each relationship in the arrangement is assigned a different color (i.e. col. 5 lines 19-21 of Westerman : " The

Art Unit: 2174

frame is preferably shown colored in a sharp color contrast from the background color of second portion 84" ).

Regarding dependent claim 5, Westerman, in combination with Young and Becker teaches the method in accordance with claim 4, wherein the different color is progressively lighter or darker according to the significance of the relationship in the arrangement (i.e. col. 5 lines 33-34 of Westerman : " Of those, tab 120 is highlighted, while the others are obscured in comparison" ).

Regarding dependent claim 6, Westerman, in combination with Young and Becker teaches the method in accordance with claim 1, wherein the graphic pattern represents a shading pattern to be displayed in a background region (i.e. col. 3 lines 58-60 of Young : " Other techniques to highlight property overrides may include shading, font selection, animation, and transparent overlays" ).

Regarding dependent claim 7, Westerman, in combination with Young and Becker teaches the method in accordance with claim 6, wherein the shading pattern includes a plurality of lines (i.e. col. 7 lines 23-25 of Westerman : " That is why that plane is shown in dot-dashed lines, instead of just dashed lines as the remaining planes 210, 240" ).

Regarding dependent claim 8, Westerman, in combination with Young and Becker teaches the method in accordance with claim 6, wherein the shading pattern includes a color (i.e. col. 3 line 66-col. 4 line 3 of Young : " For example, if a font property and a pagination property had property overrides, the "Font" tab 242 and "Pagination" tab 244 may be shaded or the tab labels displayed using the color red" ).

Art Unit: 2174

Regarding dependent claim 9, Westerman, in combination with Young and Becker teaches the method in accordance with claim 1, wherein at least one graphical structure is selectable by a user of the GUI for interaction (i.e. col. 10 lines 1-2 of Westerman : " All such displayed objects of the selected plane are selectable" ).

Regarding dependent claim 10, Westerman, in combination with Young and Becker teaches the method in accordance with claim 1, wherein the arrangement is a hierarchy (i.e. col. 5 lines 10-13 of Young : " In a document having a hierarchical structure, styles associated with the selected text may be inherited by the selected text and stored in one or more data structures" ) and each relationship in the hierarchy is a level in the hierarchy (i.e. col. 5 lines 63-66 of Young : "a template definition that includes one instance of a group title 670, two instances of a level 1 entry 672, and two instances of a level 2 entry 674" ).

Regarding independent claim 11, Westerman teaches a graphical user interface (GUI), comprising: one or more background regions displayed in the GUI, wherein each background region is based on a graphic pattern that is distinct (i.e. col. 5 lines 19-21 of Westerman : " The frame is preferably shown colored in a sharp color contrast from the background color of second portion 84" ), and the graphic pattern is assigned (i.e. col. 7 lines 16-18 of Westerman : " The interface of the invention further includes means for displaying in viewport display area 82 at least one of the objects assigned to selected plane 220" ) in an arrangement defined (i.e. col. 5 lines 66-67 of Westerman : " The user interface of the invention includes means for defining a plurality of data structures that are called planes" ) for a plurality of object groups (i.e. col. 1 lines 41-42 of



Art Unit: 2174

Westerman : " The windows are used to classify the objects in groups, according to the user's choice" ), and wherein each object group includes one or more objects; and one or more graphical structures displayed in the GUI (i.e. col. 8 lines 24-25 of Westerman : " Each group of data can be a window descriptor structure, which is used in creating the display" ), each graphical structure representing one of the one or more objects and being disposed in at least One of the one or more background regions corresponding (i.e. col. 5 lines 19-21 of Westerman : " The frame is preferably shown colored in a sharp color contrast from the background color of second portion 84" ). Westerman does not teach a relationship in the arrangement, concurrently displayed regions or two or more non-overlapping background regions.

✕ Young teaches a relationship in the arrangement (i.e. col. 7 lines 11-30 of Young : " A computer-implemented method for providing visual continuity when displaying related information on a computer monitor, comprising: retrieving a first set of data stored in a first electronic file and a second set of data stored in a second electronic file, the second set of data having a generative relationship to the first set of data; arranging the first set of data on a first page and the second set of data on a second page by tracking the first set of data and aligning the second set of data on the second page based on an arrangement of the first set of data on the first page; assigning a first display location to the first page and a second display location to the second page so that as a first one of the first and second pages is displayed on a computer monitor the first one of the first and second pages appears to substantially overlay a second one of the first and second pages; and displaying the first one of the

Art Unit: 2174

first and second pages on the computer monitor" ). It would have been obvious to an artisan at the time of the invention to combine the relationship in the arrangement of Young into the method of generating a GUI of Westerman. Said artisan would have been motivated to combine Young into Westerman to allow for retaining visual continuity between data sets displayed on a computer monitor. (i.e. see col. 2 line 2 et seq. of Young).

Becker teaches concurrently displayed regions or two or more non-overlapping background regions (i.e. FIG. 1 et seq. of Becker). It would have been obvious to an artisan at the time of the invention to integrate the background regions of Becker into the object groups of Westerman as modified by Young. Said artisan would have been motivated to combine Becker into the modified Westerman to establish a customized environment pattern (such as color, texture, etc.) for the user to indicate different object groupings and states of objects (i.e. see col. 7 line 10 et seq. of Becker).

Claim 12 is similar in scope to claim 3, differing primarily in that claim 12 is directed towards a GUI and claim 3 is directed toward a method, and is therefore rejected under similar rationale.

Claim 13 is similar in scope to claim 4, differing primarily in that claim 13 is directed towards a GUI and claim 4 is directed toward a method, and is therefore rejected under similar rationale.

Claim 14 is similar in scope to claim 5, differing primarily in that claim 14 is directed towards a GUI and claim 5 is directed toward a method, and is therefore rejected under similar rationale.

Claim 15 is similar in scope to claim 6, differing primarily in that claim 15 is directed towards a GUI and claim 6 is directed toward a method, and is therefore rejected under similar rationale.

Claim 16 is similar in scope to claim 7, differing primarily in that claim 16 is directed towards a GUI and claim 7 is directed toward a method, and is therefore rejected under similar rationale.

Claim 17 is similar in scope to claim 8, differing primarily in that claim 17 is directed towards a GUI and claim 8 is directed toward a method, and is therefore rejected under similar rationale.

Claim 18 is similar in scope to claim 9, differing primarily in that claim 18 is directed towards a GUI and claim 9 is directed toward a method, and is therefore rejected under similar rationale.

Claim 19 is similar in scope to claim 10, differing primarily in that claim 19 is directed towards a GUI and claim 10 is directed toward a method, and is therefore rejected under similar rationale.

Regarding independent claim 20, Westerman teaches a method of generating a graphical user interface (GUI), the method comprising: grouping objects into object groups (i.e. col. 1 lines 41-42 of Westerman : " The windows are used to classify the objects in groups, according to the user's choice" ); assigning a graphic pattern that is distinct for at least one object group (i.e. col. 6 lines 22-25 of Westerman : " The interface of the invention also includes means for assigning each screen object to a specific one of the planes, such that at least two planes receive at least one object

Art Unit: 2174

each" ); generating a graphical structure for each object to be represented in the GUI (i.e. col. 8 lines 24-25 of Westerman : " Each group of data can be a window descriptor structure, which is used in creating the display" ); generating a background region for the GUI associated with an object group, wherein the background region is based on the distinct graphic pattern corresponding to the object group; and generating the GUI, within the background region (i.e. col. 5 lines 19-21 of Westerman : " The frame is preferably shown colored in a sharp color contrast from the background color of second portion 84" ) and the GUI is configured to be modified by a user (i.e. col. 3 lines 55-58 of Westerman : " This apparatus may be specially constructed for the required purposes, or it may comprise a general purpose computer selectively activated or reconfigured by a computer program stored in the computer" ). Westerman does not teach related graphical structures, visually distinct concurrently displayed regions or two or more non-overlapping background regions.

Young teaches related graphical structures (i.e. col. 7 lines 11-30 of Young : " A computer-implemented method for providing visual continuity when displaying related information on a computer monitor, comprising: retrieving a first set of data stored in a first electronic file and a second set of data stored in a second electronic file, the second set of data having a generative relationship to the first set of data; arranging the first set of data on a first page and the second set of data on a second page by tracking the first set of data and aligning the second set of data on the second page based on an arrangement of the first set of data on the first page; assigning a first display location to the first page and a second display location to the second page so that as a first one of

Art Unit: 2174

the first and second pages is displayed on a computer monitor the first one of the first and second pages appears to substantially overlay a second one of the first and second pages; and displaying the first one of the first and second pages on the computer monitor" ). It would have been obvious to an artisan at the time of the invention to combine the related graphical structures of Young into the method of generating a GUI of Westerman. Said artisan would have been motivated to combine Young into Westerman for retaining visual continuity between data sets displayed on a computer monitor. (i.e. see col. 2 line 2 et seq. of Young).

Becker teaches visually distinct concurrently displayed regions or two or more non-overlapping background regions (i.e. FIG. 1 et seq. of Becker). It would have been obvious to an artisan at the time of the invention to integrate the background regions of Becker into the object groups of Westerman as modified by Young. Said artisan would have been motivated to combine Becker into the modified Westerman to establish a customized environment pattern (such as color, texture, etc.) for the user to indicate different object groupings and states of objects (i.e. see col. 7 line 10 et seq. of Becker).

Regarding independent claim Westerman teaches a graphical user interface (GUI), comprising: the graphic pattern being assigned to a relationship in an arrangement defined for a plurality of object groups, each object group including one or more graphical user interface objects (i.e. see FIG. 3 et seq. of Westerman).

Young teaches a a relationship in the arrangement (i.e. col. 7 lines 11-30 of Young : " A computer-implemented method for providing visual continuity when displaying related information on a computer monitor, comprising: retrieving a first set of

Art Unit: 2174

data stored in a first electronic file and a second set of data stored in a second electronic file, the second set of data having a generative relationship to the first set of data; arranging the first set of data on a first page and the second set of data on a second page by tracking the first set of data and aligning the second set of data on the second page based on an arrangement of the first set of data on the first page; assigning a first display location to the first page and a second display location to the second page so that as a first one of the first and second pages is displayed on a computer monitor the first one of the first and second pages appears to substantially overlay a second one of the first and second pages; and displaying the first one of the first and second pages on the computer monitor" ). It would have been obvious to an artisan at the time of the invention to combine the relationship in the arrangement of Young into the method of generating a GUI of Westerman. Said artisan would have been motivated to combine Young into Westerman to allow for retaining visual continuity between data sets displayed on a computer monitor. (i.e. see col. 2 line 2 et seq. of Young).

Becker teaches two or more background regions concurrently displayed in the GUI, each background region being based on an opaque graphic pattern that is distinct, the two or more background regions being arranged so that they do not overlap, with at least one of the background regions circumferentially surrounding one other background region; and one or more graphical structures displayed in the GUI, each graphical structure representing one of the one or more objects and being disposed in at least one of the two or more concurrently displayed background regions corresponding to the

relationship of the object (i.e. see FIG. 1 et seq. of Becker). It would have been obvious to an artisan at the time of the invention to integrate the background regions of Becker into the object groups of Westerman as modified by Young. Said artisan would have been motivated to combine Becker into the modified Westerman to establish a customized environment pattern (such as color, texture, etc.) for the user to indicate different object groupings and states of objects (i.e. see col. 7 line 10 et seq. of Becker).

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chris Watt whose telephone number is (571) 270-1046. The examiner can normally be reached on Monday-Thursday 6:30-4:00 Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Chris A. Watt/

CAW

June 12, 2007

*Kristine Kincaid*  
KRISTINE KINCAID  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100